

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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The Court has considered the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#18¹) entered on January 15, 2009, in which the Magistrate Judge recommends that the Plaintiff's Motion for Remand (#14) be denied and Defendant's Cross-Motion to Affirm (#15) be granted. Plaintiff filed a Notice of Non-Objection to Report and Recommendation (#19). The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

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¹Refers to court docket number.

1 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
2 Magistrate Judge (#18); therefore, Plaintiff's Motion for Remand (#14) is DENIED and Defendant's
3 Cross-Motion to Affirm (#15) is GRANTED.

4 IT IS SO ORDERED.

5 DATED this 4th day of March, 2009.



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8 LARRY R. HICKS
9 UNITED STATES DISTRICT JUDGE
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